

2013 DRAFTING REQUEST

Bill

Received: 2/12/2013	Received By: agary
Wanted: As time permits	Same as LRB:
For: Mary Czaja (608) 266-7694	By/Representing: Emily Loe
May Contact:	Drafter: agary
Subject: Transportation - other Transportation - traffic laws	Addl. Drafters:
	Extra Copies: EVM

Submit via email: **YES**
 Requester's email: **Rep.Czaja@legis.wisconsin.gov**
 Carbon copy (CC) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Electronic proof of insurance

Instructions:

Wants new draft of LRB-1100, with change

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 2/18/2013	kfollett 2/18/2013	phenry 2/19/2013	_____			
/P1	agary 2/19/2013			_____	sbasford 2/19/2013		
/1		kfollett 2/19/2013	jfrantze 2/19/2013	_____	srose 2/19/2013	srose 2/19/2013	

FE Sent For:

→ not
needed

<END>

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/?	agary 2/18/2013	kfollett 2/18/2013	phenry 2/19/2013	_____			
/P1		115f 2/19	J6 2/19	_____	sbasford 2/19/2013		
FE Sent For:							

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PA's:
Please
Jacket
/1.
Thx. ARG

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/? agary

1 P/K F
2/18 *2/19 ph* *ph/A*

FE Sent For:

<END>

Gary, Aaron

From: Rep.Czaja
Sent: Tuesday, February 12, 2013 11:28 AM
To: Gary, Aaron
Cc: Jenkins, Kevin; Kovach, Robert
Subject: Rep. Czaja Drafting Request

Good Morning Aaron,

Rep. Czaja would like to re-draft for introduction LRB-1100, attached here. (She is taking over as lead author, from Rep. Nygren).

There is one additional provision she would like included, regarding privacy – I have attached the suggested language here.

Please note – Senator Lasee will be the Senate lead, it is okay to work with his office on a companion bill.

Thank you, any question please let me know.



13-1100_P1.pdf 20130212112233...

Emily Loe

Office of Rep. Mary Czaja
35th Assembly District
608.266.7695

"No other content of the device shall be viewed for purposes of obtaining proof of financial responsibility and the use of an electronic wireless communications device to present proof does not constitute consent for a law enforcement officer to access other contents of the electronic device."

This language defends the policyholder against unwarranted intrusions into their private "e" life as may be contained on their smartphones or related devices.



State of Wisconsin
2013 - 2014 LEGISLATURE

soon



LRB-~~10018~~-1597/P1
ARG:kjf:ph

in
2/18

RMNKL

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

per

Regen

- 1 AN ACT *to amend* 344.62 (2), 344.64 (1), 344.64 (2) and 344.65 (1) (c) of the
2 statutes; **relating to:** proof of motor vehicle liability insurance.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, a person may not operate a motor vehicle on a highway unless the owner or operator of the vehicle has in effect a motor vehicle liability policy with respect to the vehicle that provides coverage in at least certain minimum amounts. While operating the vehicle, the person must have in his or her immediate possession proof of insurance complying with this requirement and the person must display this proof on demand by any traffic officer. However, a person may not be convicted of failing to have proof of insurance in his or her possession if the person later produces proof of insurance, in effect at the time a citation was issued, at the time of the person's appearance in court in response to the citation or in the office of the traffic officer who issued the citation.

Also under current law, a person may not do any of the following for purposes of creating the appearance of satisfying insurance requirements: 1) forge, falsify, counterfeit, or fraudulently alter any proof of insurance or other insurance document; 2) possess any forged, falsified, fictitious, counterfeit, or fraudulently altered proof of insurance or other insurance document; or 3) represent that any proof of insurance or other insurance document is valid and in effect, knowing or having reason to believe that the proof of insurance or other insurance document is not valid or not in effect.

This bill specifies that a person may provide proof of insurance in either printed or electronic format, including by display of images on a cellular telephone or other

X electronic device. ^{insert ANAL} The bill also specifies that the prohibitions relating to forged, falsified, counterfeit, fraudulently altered, or invalid proofs of insurance or other insurance documents also apply with respect to proofs of insurance in electronic format and electronic images.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

✓
1 SECTION 1. 344.62 (2) of the statutes is amended to read:

2 344.62 (2) Except as provided in s. 344.63, no person may operate a motor
3 vehicle upon a highway in this state unless the person, while operating the vehicle,
4 has in his or her immediate possession proof that he or she is in compliance with sub.
5 (1). The operator of the motor vehicle shall display the proof required under this
6 subsection upon demand from any traffic officer. The proof required under this
7 subsection may be produced in either printed or electronic format, including by
8 display of electronic images on a cellular telephone or other electronic device. ^{insert 2-8}

✓
9 SECTION 2. 344.64 (1) of the statutes is amended to read:

10 344.64 (1) Forge, falsify, counterfeit, or fraudulently alter any printed or
11 electronic proof of insurance, policy of insurance, or other insurance document or
12 electronic image, or possess any ~~forged, falsified, fictitious, counterfeit, or~~
13 ~~fraudulently altered~~ printed or electronic proof of insurance, policy of insurance, or
14 other insurance document or electronic image that is forged, falsified, fictitious,
15 counterfeit, or fraudulently altered.

✓
16 SECTION 3. 344.64 (2) of the statutes is amended to read:

17 344.64 (2) Represent that any printed or electronic proof of insurance, policy
18 of insurance, or other insurance document or electronic image is valid and in effect,
19 knowing or having reason to believe that the proof of insurance, policy of insurance,
20 or other insurance document or electronic image is not valid or not in effect.

SECTION 4. 344.65 (1) (c) of the statutes is amended to read:

344.65 (1) (c) No person charged with violating s. 344.62 (2) may be convicted if the person produces proof that he or she was in compliance with s. 344.62 (1) at the time the person was issued a uniform traffic citation for violating s. 344.62 (2). This proof may be produced either at the time of the person's appearance in court in response to the citation or in the office of the traffic officer issuing the citation. This proof may be produced in either paper or electronic format, including by display of electronic images on a cellular telephone or other electronic device. (insert 3-

8

9

(END)

Insert 3-8

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1597/P1ins
ARG:.....

1

2

INSERT ANAL:

(no 4) If electronic proof is displayed on any device, the person to whom the proof is displayed may not view on the device any content except the proof.

3

4

5

INSERT 2-8:

6

(no 4) If this proof is displayed in electronic format on any cellular telephone or other electronic device, the traffic officer may not view, and producing proof in electronic format is not considered consent for the traffic officer to view, any content on the telephone or other device except the proof required under this subsection.

10

11

12

INSERT 3-8:

13

(no 4) If this proof is displayed in electronic format on any cellular telephone or other electronic device, the person to whom the proof is displayed may not view, and producing proof in electronic format is not considered consent for the person to view, any content on the telephone or other device except the proof required under s. 344.62

16

17

(2).

18

Parisi, Lori

From: Rep.Czaja
Sent: Tuesday, February 19, 2013 2:25 PM
To: LRB.Legal
Subject: RE: Draft review: LRB -1597/P1 Topic: Electronic proof of insurance

Thank you. Please Jacket for introduction.

Emily
6-7695

From: LRB.Legal
Sent: Tuesday, February 19, 2013 8:07 AM
To: Rep.Czaja
Subject: Draft review: LRB -1597/P1 Topic: Electronic proof of insurance

Following is the PDF version of draft LRB -1597/P1.

e-mailed Aaron Gary 2-19-2013
for redraft to /1 so we can
jacket —



State of Wisconsin
2013 - 2014 LEGISLATURE

in 2/19
wanted
2/20



LRB-1597/11
ARG:kjf:ph

RMN

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

No changes -
edited yesterday 2/18

Regen

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Under current law, with limited exceptions, a person may not operate a motor vehicle on a highway unless the owner or operator of the vehicle has in effect a motor vehicle liability policy with respect to the vehicle that provides coverage in at least certain minimum amounts. While operating the vehicle, the person must have in his or her immediate possession proof of insurance complying with this requirement and the person must display this proof on demand by any traffic officer. However, a person may not be convicted of failing to have proof of insurance in his or her possession if the person later produces proof of insurance, in effect at the time a citation was issued, at the time of the person's appearance in court in response to the citation or in the office of the traffic officer who issued the citation.

Also under current law, a person may not do any of the following for purposes of creating the appearance of satisfying insurance requirements: 1) forge, falsify, counterfeit, or fraudulently alter any proof of insurance or other insurance document; 2) possess any forged, falsified, fictitious, counterfeit, or fraudulently altered proof of insurance or other insurance document; or 3) represent that any proof of insurance or other insurance document is valid and in effect, knowing or having reason to believe that the proof of insurance or other insurance document is not valid or not in effect.

This bill specifies that a person may provide proof of insurance in either printed or electronic format, including by display of images on a cellular telephone or other

electronic device. If electronic proof is displayed on any device, the person to whom the proof is displayed may not view on the device any content except the proof. The bill also specifies that the prohibitions relating to forged, falsified, counterfeit, fraudulently altered, or invalid proofs of insurance or other insurance documents also apply with respect to proofs of insurance in electronic format and electronic images.

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1 **SECTION 1.** 344.62 (2) of the statutes is amended to read:

2 344.62 (2) Except as provided in s. 344.63, no person may operate a motor
3 vehicle upon a highway in this state unless the person, while operating the vehicle,
4 has in his or her immediate possession proof that he or she is in compliance with sub.
5 (1). The operator of the motor vehicle shall display the proof required under this
6 subsection upon demand from any traffic officer. The proof required under this
7 subsection may be produced in either printed or electronic format, including by
8 display of electronic images on a cellular telephone or other electronic device. If this
9 proof is displayed in electronic format on any cellular telephone or other electronic
10 device, the traffic officer may not view, and producing proof in electronic format is not
11 considered consent for the traffic officer to view, any content on the telephone or other
12 device except the proof required under this subsection.

13 **SECTION 2.** 344.64 (1) of the statutes is amended to read:

14 344.64 (1) Forge, falsify, counterfeit, or fraudulently alter any printed or
15 electronic proof of insurance, policy of insurance, or other insurance document or
16 electronic image, or possess any ~~forged, falsified, fictitious, counterfeit, or~~
17 ~~fraudulently altered~~ printed or electronic proof of insurance, policy of insurance, or
18 other insurance document or electronic image that is forged, falsified, fictitious,
19 counterfeit, or fraudulently altered.

SECTION 3. 344.64 (2) of the statutes is amended to read:

344.64 (2) Represent that any printed or electronic proof of insurance, policy of insurance, or other insurance document or electronic image is valid and in effect, knowing or having reason to believe that the proof of insurance, policy of insurance, or other insurance document or electronic image is not valid or not in effect.

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(END)